IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.44194 of 2008
ABSAR ALAM, son of Hakimuddin, resident of village Balistar Tola Palasmani, P.S. Bahadurganj,Dist. Kishanganj
--- petitioner
Versus
THE STATE OF BIHAR----------opp.party
---

2. 16.12.2008 **Heard.**

Claiming to be the wife of Afaque Alam complaint case no. 1023 of 2002 was filed against Afaque Alam and others alleging commission of offence under Section 498A of the Indian Penal Code. The same complainant has filed a first information report on 16th January, 2008, but has contended therein that the petitioner has committed offence, amongst others, punishable under Section 498A of the Indian Penal Code. The contention of the complainant in the complaint case is that Afaque Alam is the husband of the complainant; whereas in the first information the informant has contained that the petitioner is her husband. Petitioner in no uncertain term has stated in paragraph-9 of the petition that the informant is not the wife of the petitioner.

In the circumstances, the application of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, in the event of his arrest or surrender within six weeks from today,

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be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj, in connection with Bahadurganj P.S.case no. 6/2008 subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Barin Ghosh,J.)

spal/

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